

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims supersedes any previous listing. Favorable reexamination and reconsideration are respectfully requested in view of the preceding amendments and the following remarks.

Status of the Claims

Claims 8, 10-11 and 17 have been amended to better set forth the subject matter for which patent protection is sought. New claims 18-21 have been presented for examination. The amendments to the pending claims and the subject matter of the newly presented claims find full support in the originally filed specification and drawings. Merely by way of example, support for the subject matter of new claim 18 is found on page 2, line 35 – page 3, line 10.

The indication that claims 10-13 and 15-16 contain allowable subject matter is noted with appreciation. However, in light of the amendments and arguments presented in this response, it is deemed premature to rewrite these claims into independent form at this time.

Claim objections

The typographical error in claim 17 has been amended. However, the correction as to the location of the fluidtight shell with respect to the cooling circuit has not. The fluidtight shell (9) is inboard of the cooling circuit – see Fig. 2 wherein the passages (17) through which the cooling oil flows, are outboard of the shell (9).

Rejections under 35 USC § 102

The rejection of claims 8, 9 and 14 under 35 USC §102(b) as being anticipated by Watanabe et al. (US 3,963,950), is respectfully traversed. Applicant again disagrees with the interpretation of Watanabe by the Examiner. That is to say, in the rejection it is merely assumed that the resin layers 5 and 13 are a fluid tight shell as claimed. However, in Watanabe, there is nothing to suggest that layers 5 and 13 are in fact fluid tight. They may be intermittent, perforated or unsealed at the ends, for example. Thus, in the absence of any explicit disclosure that these layers actually produce a fluid tight structure as purported, the rejection cannot be deemed tenable. The Applicants request a showing that fluid tight characteristics actually result from the insulating structure 5, 13 disclosed in this reference and that this is not simply conjecture on behalf of the Examiner.

Further, the interpretation wherein supply and exhaust tubes 10 and 11 are taken to be the cooling circuit, is incomplete. The cooling circuit clearly includes cooling pipes 6. It is submitted that to read the claimed sealing means on pipes 6 is impossible without a full working knowledge of the claims. Pipes 6 do not "seal" the cooling circuit they comprise almost all of it. Therefore, another shortcoming in the rejection is that the claimed "means for sealing the cooling circuit" has not been identified in the Watanabe reference. That is to say, without the pipes 6 the cooling circuit is almost non-existent, and to assert that pipes provide a sealing function is so strained as to be untenable even for a § 102 rejection. Accordingly, the anticipation rejection of claims 8, 9 and 15 should be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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